UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION 3:22-cv-00612-KDB-DSC

CHARMANE SMITH,)	
Plaintiff,)	
vs.)	ORDER
BANK OF AMERICA,)	ORDER
Defendant.)	
	<i>)</i>	

THIS MATTER is before the Court on review of the docket in this matter.

Pro se Plaintiff Charmane Smith ("Plaintiff") filed this action on November 8, 2022, against Defendant Bank of America under the Fair Credit Billing Act of 1974 and the Electronic Fund Transfer Act. [Doc. 1]. Plaintiff is proceeding in forma pauperis. [Docs. 4, 5]. The Court conducted initial review of Plaintiff's Complaint pursuant to 28 U.S.C. § 1915(e)(2). [Doc. 5]. The Court found that Plaintiff failed to state a claim upon which relief can be granted and allowed Plaintiff 30 days from November 30, 2022, to amend her Complaint in accordance with the terms of the Court's Order. [Id.]. The Court advised Plaintiff that if she failed to timely file an amended Complaint, this action would be dismissed without prejudice and without further notice to Plaintiff. [Id. at 5].

More than 30 days have passed, and Plaintiff has not filed an amended complaint. The Court will, therefore, dismiss this action without prejudice for Plaintiff's failure to prosecute.

ORDER

IT IS, THEREFORE, ORDERED that Plaintiff's Complaint [Doc. 1] is dismissed without prejudice.

The Clerk is instructed to terminate this action.

Signed: January 9, 2023

Kenneth D. Bell

United States District Judge